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1	KEVIN V. RYAN (CSBN 118321) United States Attorney	FILED	
2	MARK L. KROTOSKI (CSBN 138549) Chief, Criminal Division	JAN 4 - 2007	
4	DOUGLAS SPRAGUE (CSBN 202121) Assistant United States Attorney	RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND	
5		OAKLAND OF THE	
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8	Attorneys for Plaintiff		
9	UNITED STATES DISTRICT COURT		
10	NORTHERN DI	ISTRICT OF CALIFORNIA	
11	OAKLAND DIVISION		
12			
13	UNITED STATES OF AMERICA,) No. 4-06-70787 WDB	
14	Plaintiff,) STIPULATION AND [PROPOSED]) ORDER CONTINUING PRELIMINARY) HEARING OR ARRAIGNMENT DATE) AND WAIVING TIME	
15	V.		
16	TONY POOYA AFLATOONI,		
17	Defendant.	OAKLAND VENUE	
18		.)	
19	The parties request and stipulate that the date for the preliminary hearing or arraignment		
20	of defendant, Tony Pooya Aflatooni, be continued from Friday, January 5, at 10:00 a.m., to		
21	Friday, January 26, at 10:00 a.m. The parties also request and stipulate that, pursuant to Federal		
22	Rule of Criminal Procedure (FRCP) 5.1(d), the time limits set forth in FRCP 5.1(c) be tolled and		
23	waived from January 5, 2006, to and including January 26, 2006. The parties agree that – taking		
24	into account the public interest in prompt disposition of criminal cases – good cause exists for		
25	this extension. Defendant also agrees to toll and to waive for this period of time any time limits		
26	applicable under Title 18, United States Code, Section 3161. Undersigned defense counsel		
27	represents that he has spoken with his client, Mr. Aflatooni, and that Mr. Aflatooni agrees to the		
28	continuance and to time being tolled and waived as requested.		
	STIP. AND PROP. ORDER RE: PRELIM/ 4-06-70787 WDB	arraignment;	

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In support of this request, the parties note that on December 28, 2006, the government produced to defense counsel a substantial amount of discovery, including twelve CDs and various documents. The government has at least one additional CD to produce to defense counsel. In addition, defense counsel was unavailable during the last week of December, so he needs time to review the substantial discovery and to discuss it with his client. The defense needs to review this material to make an informed decision regarding a possible resolution of this matter, and the parties are attempting to negotiate a resolution.

IT IS SO STIPULATED.

DATED: January 4, 2006

Respectfully submitted,

KEVIN V. RYAN
United States Attorney

By /s/ W. DOUGLAS SPRAGUE Assistant U.S. Attorney

JOHN PAUL REICHMUTH
Attorney for Defendant Tony Pooya
Aflatooni

IT IS SO ORDERED.

DATED: January 4,

January 4, 2006

United States Magistrate Judge

DATED:

STIP. AND PROP. ORDER RE: PRELIM/ARRAIGNMENT; 4-06-70787 WDB